

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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VIVIAN AND LEONARD JUDELSON, as	:	Civil Action No. 1:07-cv-07972-PKC
Trustees of the VIVIAN JUDELSON	:	
REVOCABLE TRUST DATED 10/9/95, et al.,	:	<u>CLASS ACTION</u>
Individually and On Behalf of All Others	:	
Similarly Situated,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
TARRAGON CORPORATION, et al.,	:	
	:	
Defendants.	:	
	:	
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HENRY NELSON, Individually and On Behalf	:	Civil Action No. 1:07-cv-08438-PKC
of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
TARRAGON CORPORATION, et al.,	:	
	:	
Defendants.	:	
	:	
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[Caption continued on following page.]	:	X

NOTICE OF MOTION FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF  
AND FOR APPROVAL OF SELECTION OF LEAD COUNSEL

	X	
PAUL BERGER, Individually and On Behalf	:	Civil Action No. 1:07-cv-08689-PKC
of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
TARRAGON CORPORATION, et al.,	:	
	:	
Defendants.	:	
	:	
	X	

PLEASE TAKE NOTICE that class members Vivian and Leonard Judelson, as Trustees of the Vivian Judelson Revocable Trust Dated 10/9/95; Vivian Judelson, on behalf of the Vivian S. Judelson Contributory IRA; and Reginald Barnett (collectively, the “Judelson Group”), by their counsel, will hereby move this Court, on a date and at such time as may be designated by the Court, for an Order (attached hereto as Exhibit A): (i) consolidating the Actions; (ii) appointing the Judelson Group as Lead Plaintiff; (iii) approving the Judelson Group’s selection of the law firm of Coughlin Stoia Geller Rudman & Robbins LLP to serve as Lead Counsel; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this Motion, the Judelson Group submits herewith a Memorandum of Law and Declaration of Mario Alba, Jr. dated November 13, 2007.

DATED: November 13, 2007

COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP

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*/s/ Mario Alba Jr.*  
MARIO ALBA, JR.

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[Proposed] Lead Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I, Mario Alba Jr., hereby certify that on November 13, 2007, I caused a true and correct copy of the attached:

Notice of Motion for Consolidation, Appointment as Lead Plaintiff and for Approval of Selection of Lead Counsel;

Memorandum in Support of the Motion of The Judelson Group for Consolidation, Appointment as Lead Plaintiff and for Approval of Selection of Lead Counsel; and

Declaration of Mario Alba, Jr. in Support of the Motion of The Judelson Group for Consolidation, Appointment as Lead Plaintiff and for Approval of Selection of Lead Counsel

to be served: (i) electronically on all counsel registered for electronic service for this case; and (ii) by first-class mail to all additional counsel on the attached service list.

/s/ Mario Alba Jr.  
Mario Alba Jr.

TARRAGON

Service List - 11/9/2007 (07-0190)

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